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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/473,080	12/28/1999	TOSHIHIRO SUGIURA	ADACHI-P181U	9575

20210 7590 12/04/2002

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EXAMINER

NALEVANKO, CHRISTOPHER R

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 12/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/473,080

Applicant(s)

SUGIURA ET AL.

Examiner

Christopher R Nalevanko

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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electricity with the transmission line (col. 2, lines 33-58, see fig. 1a items 2 'power unit'). Additionally, Stern shows tap devices provided dispersedly on the transmission line with directional couplers for branching a part of the broadcasting signals from the transmission line and outputting the branched broadcasting signals from tap output terminal to terminal equipment (see fig. 1a item 112 'directional tap'). This 'directional tap' clearly takes part of the signal off of transmission line 42 and sends it to T.V. receivers 46. The rest of signal is transmitted to additional 'addressable taps' 3 to be outputted to terminals in other areas, or districts. Stern further shows latching relays, or switches, provided in signal pass from the directional coupler, or directional tap, to the tap output terminal for changing over the condition of on or off of the signal pass (col. 5, lines 28-32, see fig. 1a items 40a-c). Stern also shows an operation circuit for changing over the condition of on or off of the signal pass by turning on said latching relay (see fig. 1a items 35, 16a-b). The 'oscillators' 16a-b, along with the 'tap logic', change the state of the switches, or latching relays. Stern further shows receiving circuit for receiving the command signal (fig. 1a item 3), control circuit for setting the output or stop of the broadcasting signals from the tap output terminal by turning on said latching relay via the operation circuit in response to the command signal (fig. 1a item 35 'tap logic'), and a power source circuit for supplying each of the built-in circuits with electricity after taking in a power signal from the transmission line (fig. 1a item 120). In fig. 1a, item 3 receives the entire signal and sends the command signal to the 'tap logic.' This 'tap logic' controls the oscillators, which in turn control the switches that allow or disconnect service. Furthermore, cable 42 also supplies power to 'power supply' 120 that converts this signal into usable

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The scope of claim is unclear and does not clearly describe the limitations of the invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Stern et al.

Regarding Claim 1, Stern shows a cable broadcasting system with center equipment including broadcasting equipment for transmitting broadcasting signals to a transmission line and transmission equipment for producing a command signal for setting tap output for plural tap devices provided dispersedly on the transmission line and transmitting the command signal (col. 4, lines 60-68, col. 5, lines 1-14, see fig. 1a). Stern also shows a power supply device disposed in every district made by sectioning the transmission line into plural sections for supplying the tap devices in each district with

electricity for all of the parts of the circuit. Stern further shows a command signal producing means for producing command signals to the tap devices for which tap outputs should be set in response to a tap output setting commands for one tap device per each area, or district, where the power supply device is provided, when the tap output setting command is inputted (col. 6, lines 7-21, 44-55, see fig. 1a items 8, 104). Finally, Stern shows, as previously discussed, that the command signal is transmitted along the transmission line (col. 4, lines 60-68, col. 5, lines 1-14, see fig. 1a).

3. Regarding Claim 3, Stern further shows the tap device provided with a splitter for further distributing broadcasting signals branched by the directional coupler, or directional tap, into a plural number and outputting the distributed signals to a plural tap output terminals (see fig. 1a items 112, 46, 40a-c). Figure 1a shows a 'directional tap' that not only takes a part of the transmitted signal, but can split this into multiple lines. As shown, four lines go through individual relays, or switches, and control circuitry to be outputted to terminal devices, or T.V. receivers. The 'directional tap', or coupler, also sends the other part of the signal down the transmission line to other taps to output the signal in other areas, or districts.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The following art rejection is applied to applicant's claims or best understood in view of the problem under 112 second paragraph as discussed above.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stern et al in further view of Spriester et al.

Regarding Claim 2, Stern fails to show a time determining means for determining the status of the tap and whether the last signal was completed. Spriester shows "a status bit in memory to indicate the programmed subscriber port status (col. 4, lines 13-16)."

This bit would show whether the tap was open or closed and effectively relay if the signal process had been completed. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Stern with the status ability of Spriester show that the cable operator could determine if the command to the tap was successful.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Redick et al U.S. Patent No. 6,033,101 discloses a cable television radio frequency and AC power multitap.

Watson, Jr. U.S. Patent No. 6,453,473 discloses an access device and system for managing television and data communications through a cable television network.

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Jenkins et al U.S. Patent No. 6,463,588 discloses a method and apparatus for restoring port status in a cable television tap.

Diefes U.S. Patent No. 6,067,440 discloses a cable services security system.

Fung U.S. Patent No. 4,118,669 discloses a remote disconnect-reconnect tap for cable television systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R Nalevanko whose telephone number is 703-305-8093. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Christopher Nalevanko
703-305-8093
AU 2611

cn
November 22, 2002



VIVEK SRIVASTAVA
PATENT EXAMINER

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